

THE UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

SOLICITOR

NOV 9 2007

ADC TELECOMMUNICATIONS, INC. )

Plaintiff, )

v. )

PANDUIT CORP. )

Defendant. )

U.S. PATENT & TRADEMARK OFFICE

Civil Action No. 07CV4452

Judge: DWF  
Mag. Judge: ADB

**JURY TRIAL DEMANDED**

**COMPLAINT**

This is a complaint for patent infringement. Plaintiff, ADC Telecommunications, Inc., for its Complaint, states as follows:

**The Parties**

1. Plaintiff, ADC Telecommunications, Inc. ("ADC"), is a corporation organized and existing under the laws of Minnesota and has a principal place of business at 13625 Technology Drive, Eden Prairie, Minnesota 55344.

2. Upon information and belief, Defendant Panduit Corp. ("Panduit") is a Delaware corporation having a principal place of business at 17301 Ridgeland Avenue, Tinley Park, Illinois 60477.

Patent# 6,597,854 7,244,144  
6,868,220  
6,925,242  
7,167,625  
6,196,199

**SCANNED**  
NOV 01 2007  
U.S. DISTRICT COURT MPLS

**Jurisdiction**

3. This action includes counts for patent infringement under the patent laws of the United States. 35 U.S.C. § 271 et seq.

4. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

**Count I**

**Claim for Patent Infringement of U.S. Patent No. 6,597,854**

5. Paragraphs 1-4 are incorporated into this count by reference.

6. ADC is the owner of the entire right, title and interest in and to United States Patent No. 6,597,854 ("the '854 patent") which duly and legally issued to ADC on July 22, 2003.

7. ADC has satisfied the notice and/or marking provisions of 35 U.S.C. § 287.

8. Defendant Panduit makes and sells fiber routing products, including without limitation Panduit's FiberRunner Spill-Over Fittings, that are covered by the '854 patent, and by its actions relating to such fiber routing products, including the sale and manufacture thereof, Defendant Panduit has infringed and continues to infringe the '854 patent.

9. ADC has been damaged by Defendant Panduit's infringement of the '854 patent and will continue to be damaged in the future unless Defendant Panduit is enjoined from infringing the '854 patent.

**Count II**

**Claim for Patent Infringement of U.S. Patent No. 6,868,220**

10. Paragraphs 1-4 are incorporated into this count by reference.
11. ADC is the owner of the entire right, title and interest in and to United States Patent No. 6,868,220 ("the '220 patent") which duly and legally issued to ADC on March 15, 2005.
12. ADC has satisfied the notice and/or marking provisions of 35 U.S.C. § 287.
13. Defendant Panduit makes and sells fiber routing products, including without limitation Panduit's FiberRunner Spill-Over Fittings, that are covered by the '220 patent, and by its actions relating to such fiber routing products, including the sale and manufacture thereof, Defendant Panduit has infringed and continues to infringe the '220 patent.
14. ADC has been damaged by Defendant Panduit's infringement of the '220 patent and will continue to be damaged in the future unless Defendant Panduit is enjoined from infringing the '220 patent.

**Count III**

**Claim for Patent Infringement of U.S. Patent No. 6,925,242**

15. Paragraphs 1-4 are incorporated into this count by reference.
16. ADC is the owner of the entire right, title and interest in and to United States Patent No. 6,925,242 ("the '242 patent") which duly and legally issued to ADC on August 2, 2005.
17. ADC has satisfied the notice and/or marking provisions of 35 U.S.C. § 287.

18. Defendant Panduit makes and sells fiber routing products, including without limitation Panduit's FiberRunner Spill-Over Fittings, that are covered by the '242 patent, and by its actions relating to such fiber routing products, including the sale and manufacture thereof, Defendant Panduit has infringed and continues to infringe the '242 patent.

19. ADC has been damaged by Defendant Panduit's infringement of the '242 patent and will continue to be damaged in the future unless Defendant Panduit is enjoined from infringing the '242 patent.

**Count IV**

**Claim for Patent Infringement of U.S. Patent No. 7,167,625**

20. Paragraphs 1-4 are incorporated into this count by reference.

21. ADC is the owner of the entire right, title and interest in and to United States Patent No. 7,167,625 ("the '625 patent") which duly and legally issued to ADC on January 23, 2007.

22. ADC has satisfied the notice and/or marking provisions of 35 U.S.C. § 287.

23. Defendant Panduit makes and sells fiber routing products, including without limitation Panduit's FiberRunner Spill-Over Fittings, that are covered by the '625 patent, and by its actions relating to such fiber routing products, including the sale and manufacture thereof, Defendant Panduit has infringed and continues to infringe the '625 patent.

24. ADC has been damaged by Defendant Panduit's infringement of the '625 patent and will continue to be damaged in the future unless Defendant Panduit is enjoined from infringing the '625 patent.

**Count V**

**Claim for Patent Infringement of U.S. Patent No. 6,916,199**

25. Paragraphs 1-4 are incorporated into this count by reference.

26. ADC is the owner of the entire right, title and interest in and to United States Patent No. 6,916,199 ("the '199 patent") which duly and legally issued to ADC on July 12, 2005.

27. ADC has satisfied the notice and/or marking provisions of 35 U.S.C. § 287.

28. Defendant Panduit makes and sells patch panels having angled patching that are covered by the '199 patent, and by its actions relating to such products including the sale and manufacture thereof, Defendant Panduit has infringed and continues to infringe the '199 patent.

29. ADC has been damaged by Defendant Panduit's infringement of the '199 patent and will continue to be damaged in the future unless Defendant Panduit is enjoined from infringing the '199 patent.

**Count VI**

**Claim for Patent Infringement of U.S. Patent No. 7,244,144**

30. Paragraphs 1-4 are incorporated into this count by reference.

31. ADC is the owner of the entire right, title and interest in and to United States Patent No. 7,244,144 ("the '144 patent") which duly and legally issued to ADC on July 17, 2007.

32. ADC has satisfied the notice and/or marking provisions of 35 U.S.C. § 287.

33. Defendant Panduit makes and sells patch panels having angled patching that are covered by the '144 patent, and by its actions relating to such products including the sale and manufacture thereof, Defendant Panduit has infringed and continues to infringe the '144 patent.

34. ADC has been damaged by Defendant Panduit's infringement of the '144 patent and will continue to be damaged in the future unless Defendant Panduit is enjoined from infringing the '144 patent.

#### **Demand for Relief**

ADC respectfully demands the following relief:

- a. A judgment that Defendant Panduit has infringed the '854 patent;
- b. Both preliminary and permanent injunctions enjoining and restraining Defendant Panduit, its officers, directors, agents, servants, employees, attorneys and all others acting under or through it, directly or indirectly, from infringing the '854 patent;
- c. A judgment that Defendant Panduit has infringed the '220 patent;
- d. Both preliminary and permanent injunctions enjoining and restraining Defendant Panduit, its officers, directors, agents, servants, employees, attorneys and all others acting under or through it, directly or indirectly, from infringing the '220 patent;

- e. A judgment that Defendant Panduit has infringed the '242 patent;
- f. Both preliminary and permanent injunctions enjoining and restraining Defendant Panduit, its officers, directors, agents, servants, employees, attorneys and all others acting under or through it, directly or indirectly, from infringing the '242 patent;
- g. A judgment that Defendant Panduit has infringed the '625 patent;
- h. Both preliminary and permanent injunctions enjoining and restraining Defendant Panduit, its officers, directors, agents, servants, employees, attorneys and all others acting under or through it, directly or indirectly, from infringing the '625 patent;
- i. A judgment that Defendant Panduit has infringed the '199 patent;
- j. Both preliminary and permanent injunctions enjoining and restraining Defendant Panduit, its officers, directors, agents, servants, employees, attorneys and all others acting under or through it, directly or indirectly, from infringing the '199 patent;
- k. A judgment that Defendant Panduit has infringed the '144 patent;
- l. Both preliminary and permanent injunctions enjoining and restraining Defendant Panduit, its officers, directors, agents, servants, employees, attorneys and all others acting under or through it, directly or indirectly, from infringing the '144 patent;
- m. A judgment and order requiring Defendant Panduit to pay all appropriate damages under 35 U.S.C. § 284, including treble damages if the any of the infringements is determined to be willful;

- n. A judgment and order requiring Defendant Panduit to pay the costs of this action, including all disbursements, and attorney fees, if this case is exceptional as provided by 35 U.S.C. § 285; and
- o. Such other and further relief that this Court may deem just and equitable.


**Demand for Jury Trial**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff ADC Telecommunications, Inc. demands a trial by jury of all issues so triable.

**ADC Telecommunications, Inc.**

By its attorneys,

Dated: November 1, 2007

  
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